

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

SH FRANCHISING, LLC

v.

SAKR, LLC, ET AL.

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Civil No. – JFM-14-3125

MEMORANDUM

Plaintiff has filed a motion for temporary restraining order and preliminary injunction. To the extent that the motion is one for temporary restraining order, the motion will be denied.

It appears that the non-compete provision of the Franchise Agreement is only for two years. Considered alone, that period may be reasonable. However, the Franchise Agreement also provides that defendants are bound by the Franchise Agreement for fifteen years. If the two year non-compete term is added to the fifteen year Franchise Agreement term, defendant would be prohibited from competing with plaintiff for seventeen years. This does not seem to be reasonable to the undersigned. Therefore, the motion for temporary restraining order will be denied, awaiting full briefing of the issues on a preliminary injunction motion.

Date: 10/10/14


J. Frederick Motz
United States District Judge

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DISTRICT OF MARYLAND
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